

**Federal Defenders
OF NEW YORK, INC.**

Southern District
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David E. Patton
Executive Director
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MEMO ENDORSED

Southern District of New York
Jennifer L. Brown
Attorney-in-Charge

September 8, 2020

By ECF

Honorable William H. Pauley III
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *United States v. Kamel Osborne et al.*, 19 Cr. 931 (WHP)

Dear Judge Pauley:

I represent Kamel Osborne in the above-captioned case. Joined by counsel for codefendant Lywan Reed, I write to respectfully request that the Court schedule change-of-plea hearings for Mr. Osborne and Mr. Reed. The parties have conferred and are available at the Court's convenience the following dates/times:

- Monday, October 19, 2020 – at any time for either defendant
- Tuesday, October 20, 2020 – at any time except 10:30 – 12:30 for Mr. Osborne, and at any time for Mr. Reed
- Wednesday, October 21, 2020 – at any time except 10:00 – 12:00 for Mr. Osborne, and at any time for Mr. Reed

Mr. Osborne and Mr. Reed both request that their pleas take place by video conferencing or, if video conferencing is not reasonably available, by telephone conferencing. The Government does not oppose this request. Under the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act") and Chief Judge McMahon's standing order, 20 Misc. 176, the Court may conduct a felony plea hearing by video conferencing, or telephone conferencing if video conferencing is not reasonably available, with the consent of the defendant and a finding by the district court judge that further delay of the proceeding will result in serious harm to the interests of justice. As noted, both defendants consent to remote pleas and request that their plea hearings take place remotely due to ongoing risks associated with the COVID-19 pandemic. They have requested dates after October 15, 2020 for their change-of-plea hearings due to the anticipated birth of Mr. Reed's child around that time and Mr. Osborne's ongoing obligations at work and at home. However, due to the impending trial schedule and filing deadlines in this case, the parties have agreed that the plea hearing should not be significantly delayed beyond that date.

Finally, because we are requesting a change-of-plea hearing to take place after certain pre-trial filing deadlines previously imposed by the Court, the parties request that any such deadlines be adjourned until two weeks after the change-of-plea hearings scheduled for Mr. Osborne and Mr. Reed. I have conferred with counsel for the third codefendant, Quinteria Daniels, and she has no objection to such an adjournment.

Respectfully submitted,

/s/ Ariel Werner

Ariel Werner

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cc: Rebecca Dell, Assistant U.S. Attorney
Renato Stabile, Esq., counsel for Lywan Reed
Brooke Cucinella, Esq., counsel for Quinteria Daniels

Applications granted. The deadlines are adjourned by two weeks. A change of plea proceeding for Mr. Osborne is scheduled for October 19, 2020 at 2:00 p.m. A change of plea proceeding is scheduled for Mr. Reed on October 21, 2020 at 11:00 a.m. Links to the Skype Conference will be emailed separately to the parties and telephone number for the public to listen to the proceeding will be entered on the docket.

SO ORDERED:


WILLIAM H. PAULEY III
U.S.D.J.

September 10, 2020